IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 11601 of 2006

Dated 3rd day of August, 2006

Between

Rachapudi Deva Vara Prasad and ors.
…Petitioners

and

General Manager, Telecom District, BSNL, Vijayawada

…Respondent.

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THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 11601 of 2006

ORDER:

The petitioners, who are working as Senior Telecom Office Assistants, have filed this Writ Petition to declare the action of the respondent in transferring them vide proceedings in Lr. No.E.401/Deployment/Group C/2006/23, dated 23-5-2006 as illegal and arbitrary.

It is the case of the petitioners that initially the petitioners were appointed as Telephone Operators and Telegraphists, as the case

may be, and subsequently they were promoted as Senior Telecom Office Assistants. It is stated that the post of Senior Telecom Office Assistant consists of four streams i.e. Phones, General, Telecom and Telegraph and the petitioners were designated as Phone Supervisors and they were placed in the seniority list in the cadre of Senior Telecom Office Assistants.

After Bharat Sanchar Nigam Limited was formed in the year 2000, combined seniority list of excess staff was prepared in the wasting cadres of Senior Telecom Office Assistants. By impugned proceedings the respondent authorities have ordered for deployment of excess staff in the non-executive cadres to various places, where there is requirement of staff. It is the case of the petitioners that for the purpose of effecting transfer of excess staff in the wasting cadres, guidelines have been issued, and, as per the said guidelines, only junior most staff members are to be transferred, but however, ignoring certain junior most staff members, the respondent has transferred services of the petitioners.

Counter affidavit is filed on behalf of the respondent. In the counter affidavit, it is stated that though seniority list in the cadre of Senior Telecom Office Assistant of several categories is prepared, but the basic cadre seniority is followed as per the existing guidelines, for the purpose of effecting transfers. It is further stated that the transfer orders are issued as per the guidelines, but however, officials who have come on transfer from other stations/divisions are exempted for the first cycle in the combined seniority list.

From a perusal of the impugned order and counter affidavit, it is clear that it is a case of deploying the staff by way of transfer to needy places, on administrative grounds. From the averments made in the

counter affidavit, it is clear that the impugned orders of transfer have been issued by following the guidelines issued earlier in this behalf. Further, the petitioners have not come from other Divisions and the transfers are made within the District/Division. In that view of the matter, I do not find any illegality in ordering deployment of the petitioners by way of transfers, which warrants interference in exercise of powers under Article 226 of the Constitution of India.

The Writ petition is devoid of merits and the same is accordingly dismissed. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: ---08---2006.
Msnr.